

A. G. Contract No. KR930509TRN
ECS File: JPA 93-52
MC Enc. No. CS931241
Project: CM-900-0(71)/H3361 01X
Section: Regional Traffic
Signal Study

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA

AND

MARICOPA COUNTY, ARIZONA

THIS AGREEMENT is entered into 22 June, 1993,
pursuant to Arizona Revised Statutes Sections 11-951 through
11-954, as amended, between the STATE OF ARIZONA, acting by and
through it's DEPARTMENT OF TRANSPORTATION (the "State") and
MARICOPA COUNTY, ARIZONA acting by and through its BOARD OF
SUPERVISORS (the "County").

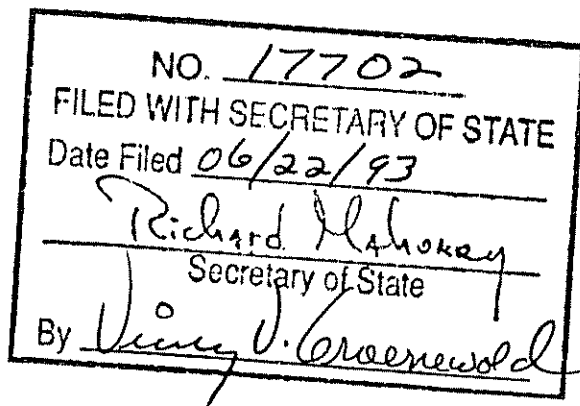
I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The County is empowered by Arizona Revised Statutes
Section 11-251 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the County.

3. The Federal Intermodal Surface Transportation
Efficiency Act of 1991 has made funds available to the State
for the use of the County for a regional traffic signal study
with an ultimate goal of reducing air pollution. The State and
the County desire to define their respective responsibilities
relating to the transfer of up to \$500,000.00 for FY93 thru the
State to the County and the expenditure thereof.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:



II. SCOPE

1. The State will:

Provide the County Federal Congestion Mitigation and Air Quality (CMAQ) funds in the amount of up to \$500,000.00, on a monthly cost reimbursement basis for activities performed relating to a regional traffic signal study, in accordance with Attachment A, which is incorporated herein and made a part hereof.

2. The County will:

a. Provide required matching funds in the amount of up to \$38,329.00. Apply funding to project work activities in strict accordance with applicable Federal and State laws, rules and regulations.

b. Issue requests for proposals, and hire consultants as required to perform traffic signal study related work activities. Comply with all applicable Federal and State procurement, accounting and record keeping laws. Be responsible for consultant claims for extra compensation.

c. Invoice the State for reimbursements no more often than monthly, supported by narrative reports, in a total amount not to exceed \$500,000.00.

III. MISCELLANEOUS PROVISIONS

1. The only interest of the Department of Transportation in this agreement is to convey federal pass through funds for the use and benefit of the County by reason of State and Federal law under which funds for the activities are authorized to be expended.

2. Should the work contemplated under this agreement be completed at a lower cost than the reimbursed amount, or for any other reason should any of these funds not be expended, a proportionate amount of the funds provided shall be reimbursed to the State.

3. This agreement shall remain in force and effect until completion of said activities and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

4. This agreement shall become effective upon the obligation of federal funds and filing with the Secretary of State.

5. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

6. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

7. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

8. All notices or demands upon any party relating to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Room 222E Mail Drop 616E
Phoenix, AZ 85007

Maricopa County
County Manager
301 West Jefferson Street
Phoenix, AZ 85003

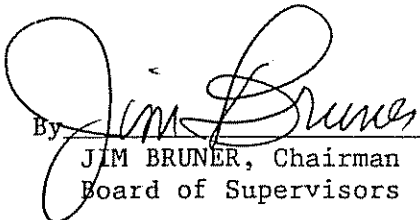
9. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this State to enter into this agreement and that the agreement is in proper form.

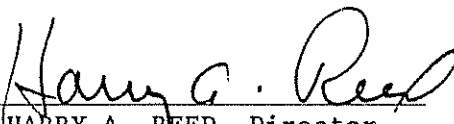
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

MARICOPA COUNTY, ARIZONA


STATE OF ARIZONA

Department of Transportation

By 
JIM BRUNER, Chairman
Board of Supervisors

By 
HARRY A. REED, Director
Transportation Planning

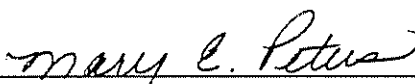
ATTEST

By 
FRAN MCCARROLL
Clerk of the Board

RESOLUTION

BE IT RESOLVED on this 26th day of March 1993, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Transportation Planning Division, to enter into an agreement with Maricopa County for the purpose of defining responsibilities for the pass through of federal funds for the County to conduct a regional traffic signal study.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Director, Transportation Planning Division.


for LARRY S. BONINE
Director

MARICOPA COUNTY BOARD OF SUPERVISORS

AGENDA FORM 3518

Contract/Lease for ☐ NEW ☐ RENEWAL ☐ AMENDMENT ☐ CANCELLATION
(For existing record Encumbrance No. below)

LCW ORG. NO. 6420 DEPARTMENT: Transportation-Traffic CONTROL NUMBER TD 45-93

ENCUMBRANCE NO. 05931241 AGENCY: Trans. & Dev. Agency CONTROL NUMBER: PW 84

1. BRIEF DESCRIPTION OF PROPOSAL AND REQUESTED BOARD ACTION:

Under the Federal Intermodal Surface Transportation Efficiency Act of 1991, funds are made available to the State for use by the County to perform Regional Traffic Signal Studies in order to ultimately reduce air pollution levels in the greater Phoenix area.

In order to obtain up to \$500,000 from this program for Fiscal Year 1993, the County will have to provide \$38,329 in matching funds, which are included in the proposed Transportation and Development budget for Fiscal Year 1994.

Approval is sought to enter into an Intergovernmental Agreement with the State of Arizona, which defines each agency's responsibility relating to the transfer of the above specified funds.

Please return an executed copy to
the Clerk of the Board of Supervisors.

2. COMPLIANCE WITH MARICOPA COUNTY PROCUREMENT CODE

10

MCL-1003 *Genate Lewis*
article paragraph Procurement Officer

SOLE SOURCE JUSTIFICATION

3. CONTINUED FROM MEETING OF
DISCUSSED IN MEETING OF4. ☐ THIS DEPARTMENT WILL CAUSE PUBLICATION
☐ CLERK OF THE BOARD TO CAUSE PUBLICATION

5. MOTION: It is moved that the Maricopa County Board of Supervisors ... approve an Agreement with the State of Arizona defining each agency's responsibility relating to the transfer of up to \$500,000 to the County for Fiscal Year 1993 under the Federal Intermodal Surface Transportation Efficiency Act of 1991. The funds are intended to perform Regional Traffic Signal Studies in order to ultimately reduce air pollution in the greater Phoenix area. In order to utilize these funds, the County will be obligated to provide \$38,329 in matching funds.

6. FINANCIAL: ☒ Expenditure ☐ Revenue ☒ Budgeted ☐ Contingency ☐ Budget Amendment ☐ Transfer ☐ Grant or other

\$ 38,329 FY 93-94 TRANSPORTATION
(HIGHWAY)
Total Fund

R. D. Smith 4/21/93
Finance Officer R. D. Smith Date

7. PERSONNEL:

8. DEPARTMENT: Transportation - 6400 AL: ps

DePammon 4-21-93
Action Recommended by U. E. Sacramento Date

9. MATERIALS MANAGEMENT:

A. Materials Management Director Date
B. WMBE Representative Date

10. LEGAL:

Approved as to form and within the powers and authority granted under the laws of the State of Arizona to the Maricopa County Board of Supervisors

G. Neil 4-21-93
County Attorney G. Neil Date

11. OTHER:

Signature Date

12. APPROVED FOR AGENDA: Trans. & Dev. Agency
Asst. Co. Mgr. *William C. Schmitt* 4-22-93
Approving Official L. Schmitt Date

13. OTHER:

Signature Date

15. RECOMMENDATION OF COUNTY MANAGER:

☒ Approve ☐ Disapprove

Comments:

14. BOARD OF SUPERVISORS: Action taken:

☒ Approved ☐ Amended ☐ Disapproved ☐ Deleted

Continued to: *John H. Gensel* 5/17/93
Clerk of the Board Date

Ronald R. Peterson
County Manager Date

JPA 93-52

APPROVAL OF THE MARICOPA COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement between the STATE OF ARIZONA, acting through the DEPARTMENT OF TRANSPORTATION and MARICOPA COUNTY, and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 21st day of April, 1993.



County Attorney

PROJECT SUMMARY

Title: Regional Traffic Signal Study

Project No. CM-900-0(71)

TRACS No. H336101X

Funding: \$500,000 - FY 1993 CMAQ Funds .
38,329 - Match

TIP/UPWP
Reference: MAG FY 1993-97 TIP, page III-47.

Implementing
Agency: Maricopa County Department of Transportation

Objectives: Determine the feasibility of implementing an integrated regional traffic management system for the MAG region.

Show that a specific signal coordination plan for the MAG region will reduce traveler delay and air pollution emissions.

Tasks: Review previous and ongoing studies and the implementation of advanced traffic management systems.

Inventory and evaluate existing and planned signal systems in the Metro Phoenix Area.

Analyze impacts of the ADOT Freeway Management System on areawide travel and signal systems.

Identify needs and opportunities to improve and integrate traffic control system.

Formulate and analyze alternative solutions, including costs and cost/benefit analyses.

Provide on-site workshops for committee members and agencies.

Products
Expected: A methodology and strategy with which to manage traffic control to minimize air pollution and optimize energy consumption.

Measureable response estimated to reduce carbon monoxide emissions by between 4 and 20 metric tons per day.

An integrated structure for coordination of traffic management services by state and local jurisdictions and other participating agencies.

Date Due: December 31, 1993.

Cost: FY 1993 Federal-aid cost totals \$500,000. The Federal-aid cost is matched by Maricopa County.



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025
TELECOPIER : 542-4085


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR93-0509-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 16th day of June, 1993.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section

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